

OFFICE OF THE
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

2008 DEC 16 A 10:45

December 9, 2008

BY FIRST-CLASS MAIL

Office of General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

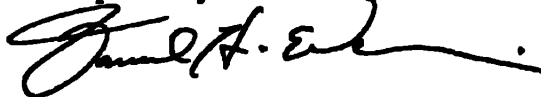
MUR # 6149

Re: Complaint

Dear Sir or Madam:

Pursuant to 2 U.S.C. § 437(g)(a)(1) and 11 C.F.R. § 111.4(a), we enclose an original and three copies of our sworn complaint against Friends of Hillary Clinton, 1825 K Street, N.W., Suite 1000, Washington, D.C. 20006, for failure to return our \$2,300 general election campaign contribution to Senator Clinton's 2008 U.S. Presidential campaign, as required by law.

Respectfully submitted,



Daniel H. Weiner
Elizabeth A. Fuerstman

Chappaqua, NY 10514

MUR: 6149

COMPLAINT

DANIEL H. WEINER and ELIZABETH A. FUERSTMAN, being duly sworn,
depose and say as follows:

1. We are a married couple residing at _____, Chappaqua, NY 10514. All of the matters set forth in this Complaint are based on our personal knowledge.
2. On September 10, 2007, we contributed \$4,600 to Senator Hillary Clinton's presidential campaign fund — \$2,300 to her primary campaign, and another \$2,300 to her general election campaign — by credit card payment to Friends of Hillary Clinton, 1825 K Street, N.W., Suite 1000, Washington, D.C. 20006. (A copy of our American Express bill indicating that payment is annexed hereto as Exhibit A.)
3. Senator Clinton did not receive the Democratic Party's nomination, and did not run in the 2008 general election for President. By law, she is required to return the \$2,300 contribution we made to her general election campaign fund.
4. On or about September 19, 2008, we telephoned Senator Clinton's office in Hartsdale, New York and left a message asking for return of our \$2,300 general election contribution. No one responded to our call.
5. On or about September 23, 2008, we again telephoned Senator Clinton's Hartsdale, New York office and left a similar message asking for return of our \$2,300 general campaign contribution. No one returned our call.
6. By letter dated September 24, 2008 (copy annexed hereto as Exhibit B), we faxed and mailed to Senator Clinton at her Hartsdale, New York office asking (for the third time) for return of our \$2,300 contribution. We received no response.

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7. On October 2, 2008, we faxed Senator Clinton at her Washington, D.C.

office, stating:

"WE HAVE GOTTEN NO RESPONSE FROM SENATOR CLINTON'S WESTCHESTER COUNTY OFFICE, DESPITE OUR REPEATED PHONE CALLS, FAXES AND MAIL."

"PLEASE RESPOND."

(A copy of that fax, along with a machine-generated report indicating its successful transmission, is annexed hereto as Exhibit C.) We received no response to our fax.

8. On October 7, 2008, we again faxed Senator Clinton at her Washington,

D.C. office, stating:

"DO WE NEED TO REPORT SENATOR CLINTON TO THE FEDERAL ELECTION COMMISSION BEFORE WE GET A RESPONSE?"

"PLEASE RESPOND."

(A copy of that fax, along with a machine-generated report indicating its successful transmission, is annexed hereto as Exhibit D.) We received no response to our fax.

9. By e-mail dated November 3, 2008 (copy annexed hereto as Exhibit E), we wrote to Senator Clinton at HillPAC, her political action committee, to yet again request return of the \$2,300 we contributed to her general election campaign. We received no response to our e-mail.

10. There is no justification or excuse for Senator Clinton's failure to return our \$2,300 contribution to her general election campaign, which should have been returned to us pursuant to federal election law.

11. We request that the Federal Election Commission find that Senator Clinton has violated federal election law by her failure to return our \$2,300 contribution

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to her general election campaign, and require that she return that money to us immediately.

Sworn to before me this
4th day of December, 2008.

Sabrina Murai
 Notary Public

SABRINA MURAI
 NOTARY PUBLIC, State of New York
 No. 01MS0156704
 Qualified in Queens County
 Commission Expires Nov. 14, 2019

Daniel H. Weiner
 Daniel H. Weiner

Sworn to before me this
5th day of December, 2008.

Kelly A. DeSimone
 Notary Public

KELLY A. DeSIMONE
 Notary Public, State of New York
 No. 01DE503348
 Qualified in Westchester County
 Commission Expires 8-18-10

Elizabeth A. Fuerstman

Elizabeth A. Fuerstman